



"The City With a Heart"

Sujendra Mishra, *Chair*
Rick Biasotti, *Vice Chair*
Mary Lou Johnson
Perry Petersen
Kevin Chase
Joe Sammut
Bob Marshall, Jr.

MINUTES PLANNING COMMISSION MEETING

March 19, 2013

7:00 p.m.

Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno

CALL TO ORDER at 7:00 pm.

ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Mishra	X	
Vice Chair Biasotti	X	
Commissioner Sammut	X	
Commissioner Marshall		X
Commissioner Petersen	X	
Commissioner Chase		X
Commissioner Johnson	X	

STAFF PRESENT:

Planning Division: Community Development Director: David Woltering
Associate Planner: Laura Russell
Associate Planner: Matt Neuebaumer

Pledge of Allegiance: Commissioner Sammut

1. Approval of Minutes – January 15, 2013

Motion to Approve Minutes of January 15, 2013 Planning Commission meeting.

Johnson/ Biasotti

VOTE: 5-0
AYES: All Commissioners Present.
NOES: None
ABSTAIN: None

2. Communication

E-Packets are available on line at www.sanbruno.ca.gov

3. Public Comment

4. Announcement of Conflict of Interest

Commissioner Petersen will be recusing himself on agenda item 5.A.

5. Public Hearings

Commissioner Petersen recused himself and left the room.

A. 160 Parkview Court

Request for a Use Permit to allow an addition which increases the gross floor area by greater than 50% (92%), construct a second story addition with transparent windows adjacent to abutting properties that have a side yard greater than 10 feet, and to exceed 2,800 square feet of living area while only providing two covered parking spaces where three spaces are required per Sections 12.200.030.B.1, 12.200.040.B.1, and 12.200.080.A.3, respectively, of the San Bruno Municipal Code. Una Kinsella (Applicant), Mark & Michelle Brooks (Owners) UP-13-002.

Associate Planner Neuebaumer: Entered staff report.

Staff recommends that the Planning Commission **approve** Use Permit 13-002 based on the Findings of Fact (1-7), subject to Conditions of Approval (1-24).

Chair Mishra asked Commission if there were any questions for staff.

Commissioner Johnson: What are the hours of construction?

Associate Planner Neuebaumer: The hours of construction are 7 a.m. to 10 p.m. seven days a week.

Vice Chair Biasotti: Can you clarify why the lot area was adjusted from 10,800 to 7,300?

Associate Planner Neuebaumer: We have an adjustment factor. The average lot size in San Bruno is 5,000 square feet. When a property differs from that we use the adjustment factor.

Vice Chair Biasotti: The lot coverage percentage is determined by the adjustment factor.

Associate Planner Neuebaumer: That is correct. The FAR calculations are also based on the adjustment factor.

Chair Mishra: I had a correction on Commissioner Johnson's questions. Condition #4 states the hours of construction are 24 hours, with restrictions during the hours of 10:00 p.m. to 7:00 a.m. Is this correct?

Associate Planner Neuebaumer: That is correct.

Commissioner Johnson: This home is located in a cul-de-sac. What is the procedure for the location of debris boxes?

Associate Planner Neuebaumer: A debris box would be permitted in the Public-Right-of-Way with an encroachment permit, provided it is not blocking anyone's driveway. If that is not possible in this location we would require them to locate the debris box in the driveway.

Chair Mishra: A debris box is generally twenty feet long and would fit in the driveway in front of the garage.

Public Comment Opened.

Michelle Brooks; Applicant: We are the property owners of 160 Parkview Court. The home has been in our family for 50 years and we currently live there with our four children. We have spoken with our

neighbors and they are all in support of the proposed project. We feel the design of the new home will complement the neighborhood.

Una Kinsela; Architect: I have been working with the property owners for approximately six months on the design of this project. We implemented a lot of features recommended by staff, such as the design and size of the windows. We have done a lot of neighborhood outreach by showing the neighbors the proposed plans and answering any questions or concerns they may have. One issue that arose was the drainage on the property. We are proposing to solve the drainage problem by removing the large concrete patio at the rear of the yard. We will be replacing the concrete slab and the driveway with pervious pavers. We will take every measure to ensure the drainage will not affect the neighborhood. I have provided 3-D model photos for you tonight, which show the mass of the addition and placement of the windows. I am available for any questions you may have.

Commissioner Johnson: We received a letter from one of the neighbors that expressed concern about the drainage. Can you please further discuss how the drainage problem will be resolved?

Una Kinsela; Architect: As staff mentioned, at the building permit stage we will be submitting a drainage package that identifies our drainage system. The property is on a slope and the drainage currently runs off into the street. In the rear yard there is a lot on concrete, which we plan to remove and plant plants. The proposed pavers in the driveway and rear yard will allow the water to drain into the ground rather than run off on the neighboring property.

Commissioner Johnson: I appreciate the efforts you are making to resolve the drainage issues. However, the additional issue would be what happens to the water after it drains to the ground.

Una Kinsela; Architect: Most of the cities along the peninsula require the property owners to handle all drainage on site to avoid the runoff onto neighbors. That can only be done to a certain extent because water will eventually go where gravity takes it. This is a very large property and we will do the best we can to resolve any issues with the drainage.

Commissioner Johnson: It is a requirement to have a three-car garage after 2,800 square feet. Your project proposes to reduce the size of the existing garage and to increase the width of the driveway. Can you give us some insight on how you choose the design of the home and what lead to not increasing the size of the garage?

Una Kinsela: We looked at the site and figured that a three-car garage would not fit with the design of the home. We will be widening the driveway to fit a third car, which will help avoid offsite parking. Also, if we increased the size of the garage, it would encroach into the required fifteen-foot setback.

Commissioner Johnson: I took the privilege of visiting the site. I think it would be hard to pull straight out of the driveway with a three-car garage. I see how widening the driveway would be a benefit to you.

Mark Brooks; Applicant: Widening the east side of the driveway would not greatly impact the street parking.

Commissioner Johnson: When you are in a cul-de-sac, any impact on parking may cause an issue.

Vice Chair Biasotti: I wanted to clarify you are proposing to widen the driveway, not the curb cut. Is this correct?

Mark Brooks; Applicant: That is correct.

Chair Mishra: Would the water drain into a tub underneath the pavers or would it be directed to the street?

Una Kinsela; Architect: It would drain to the street.

Chair Mishra: If there is a heavy rain, once the clay soil has reached its capacity, it will act as concrete. I would advise you to ensure the proper drainage to the street.

Vice Chair Biasotti: I heard you mention that you reached out to neighbors and had them write letters of support.

Una Kinsela; Architect: The property owners walked the neighborhood with the proposed set of plans and a note requesting a signature for support of the project and to address any questions they may have. I believe they received a dozen signatures.

Vice Chair Biasotti: Has staff seen this list of signatures?

Associate Planner Neuebaumer: Yes.

Vice Chair Biasotti: Is their statement consistent with what was turned in?

Associate Planner Neuebaumer: The sheet I have in front of me has six signatures but there may be additional sheets that were not submitted.

Vice Chair Biasotti: How many phone calls and letter did we received regarding this project?

Associate Planner Neuebaumer: I received two phone calls and one letter from the neighbors.

Vice Chair Biasotti: One of the phone calls and the letter were by the same resident. The other phone call expressed concern about the overall size of the addition and parking.

Commissioner Johnson: Were the signatures from residents on Parkview Court?

Associate Planner Neuebaumer: Yes, five out of six were from residents on Parkview Court. One signature was from a resident on an adjacent street.

Perry Petersen re-entered the room as a member of the public.

Perry Petersen; Resident: I support the proposal. This area has ten main cul-de-sacs that all have large lots and can fit large homes. The concern I have is amount of square footage being added. I believe once the decision is made on this project, other homeowners in cul-de-sacs will be looking at it. How you handle the comments and concerns of the neighbors will be very much of interest to others and myself. Thank you for your time.

Perry Petersen left the room.

Peter Topper; Parkview Court Resident: I am the property owner of 150 Parkview Court. I wrote the letter being referenced. I am not against the project, however, I do have concerns on the drainage. When it rains, the water currently drains off onto my property, my sump pump in unable to manage the capacity so it seeps over to the neighbor behind me, which in turn drains into his garage. I would be satisfied if they could redirect all water runoff into the street and not under my house. I spoke with the neighbor below me and me was concerned with the drainage as well. I am also concerned with the mass of the addition at the rear blocking the sunlight into my rear yard. I am also concerned with the size of the bay window at the rear right side. My last concern is with the construction vehicles and debris boxes obstructing our daily activities. I don't know if they will be tearing out any fences and if they do, who is responsible for its replacement? What if there are nails getting into our tires, whom do we go to for that reimbursement?

Dennis Dorn; Parkview Court Resident: I am the property owner at 170 Parkview Court. I am also concerned with the drainage. I know the city is aware that in the past the hill slid due to drainage issues. I put multiple French drains on my property to help with the existing drainage issues.

Public Comment Closed.

Chair Mishra: I feel the best way to solve drainage issues is to install a dry well with a sump pump that has a limit actuator on it. When the well reaches its limit, the water will be directed to the street. I would like to add this a condition.

CDD Director Woltering: I think adding a condition like that is a rather technical condition. My recommendation to the commission is that you suggest a remedy like the one you have suggested, but allow for the Public Services Department to review that and determine if that is the acceptable technique to address the drainage impact, or to determine if there may be some other measures that may be preferable or better remedy the concern at hand. A building permit will be required for this project and they will be required to retain their drainage onsite. They will need to provide a variety of measures to achieve that. I am sure that staff will be looking at a variety of techniques. I feel your recommendation is valid but I would not like to set that as a condition when there could be alternate remedies.

Chair Mishra: In that case, I would like to propose that we use the City detail for a dry well and provide some type of positive measure to push water out to the street when it reaches a certain level.

Commissioner Sammut: Since the only concerns I am hearing are regarding the water drainage, conditions #18, 19, & 20 pretty much stipulate what is to be done with water, drainage, and grading. Will the Building Division request a soils report?

CDD Director Woltering: The Building Division in conjunction with the Public Services Divisions will be looking at onsite drainage. They will be reviewing the plans and materials submitted by the applicant to ensure the improvements to the drainage system are compatible. The documents submitted for the building permit will be more detailed in addressing the drainage.

CDD Director Woltering: In terms of the construction materials and its inconvenience to the neighborhood, these concerns should be addressed in a variety of different ways. The general contractor should be overseeing the construction and working closely with the property owners, architect, and other personnel involved with the project to ensure that the construction is handled in a respectful and professional manner to the neighbors and the neighborhood. I advise the property owners to be in communication with their neighbors, to accommodate any concerns or requests regarding their daily activities, and to ensure that this construction activity can occur in a way that works for all parties involved. It is a small cul-de-sac and there will be a need for coordination during the construction period. City inspectors will be going out on a regular basis for inspections and they also provide another point of contact to ensure a smooth construction process.

Chair Mishra: I would like to add in lieu of the contractors, the property owners will be responsible.

Commissioner Johnson: I wanted to make sure it was noted that the curb cut will not be enlarged, only the driveway.

Chair Mishra: Before we move on I would like to address the privacy and sunlight concerns from the neighbor.

Associate Planner Neuebauer: Along the right hand side property line, there are a series of windows on the second story. There are four windows in the living room, a series of windows within the stairwell, one in the bathroom, and one in the 2nd story bedroom. All windows facing adjacent properties have been reduced in size. The four windows in the living room will be looking into the front yard not the side yard. In regards to light and air, this project meets all the setback requirements. The required setback is 3'-9", the proposed project has a side setback of 8'. Many portions of the second story addition are set back even further. Additionally, the home is less than the overall height limit. The height limit for the R-1 zoning district is 28 feet and the proposed home is coming in at 26'-3". This is included in Finding #4 within the staff report.

Chair Mishra: I would also like to add that the bay window is at the first floor with small windows.

Associate Planner Neuebauer: There is also a bay window in the living room at the front right side elevation.

Vice Chair Biasotti: I still have concerns with the drainage. Condition #19 is to drain per City standards. I would prefer that all drainage if possible be directed to the street for the benefit of the neighbors.

Chair Mishra: The City detail is to drain to the street.

CDD Director Woltering: The drainage issues will be addressed appropriately.

Motion to approve Use Permit 13-002 based on Findings of Fact (1-7) and Conditions of Approval (1-24).

Commissioner Sammut/ Biasotti

VOTE: 4-0
 AYES: All Commissioners Present.
 NOES: None
 ABSTAIN: None

CDD Director Woltering: I would like to clarify that the additional condition regarding the drainage was added to the motion.

Chair Mishra: Condition of Approval #25 was added and requires the installation dry well per the City Standard detail and to provide a positive mechanism to drain water to the street.

Motion to approve Use Permit 13-002 based on Findings of Fact (1-7) and Conditions of Approval (1-24). With Additional condition #25.

Commissioner Sammut/ Biasotti

VOTE: 4-0
 AYES: All Commissioners Present.
 NOES: None
 ABSTAIN: None

Chair Mishra advised of a 10-day appeal period

FINDINGS OF FACT:

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.
2. The proposed development will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.
3. The proposed development will be consistent with the general plan.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.

6. The proposed expansion complies with applicable off-street parking standards of the zoning ordinance.
7. That any proposed single-family or two-family dwelling conforms to the basic design principles of the residential design guidelines as adopted by resolution by the city council and as may be revised from time to time.

CONDITIONS OF APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 13-002 shall not be valid for any purpose. Use Permit 13-002 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the Summary of Hearing shall be photocopied and included on a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on March 19, 2013 labeled Exhibit C except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the California Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.
9. Prior to Final Inspection, 15% of the site shall be landscaped and any site landscaping damaged during construction shall be replanted to the satisfaction of the Community Development Director. No more than 80% of the lot shall consist of impervious surfaces. Additional landscape treatments shall be installed along the right side yard and left side yard to provide a measure of visual screening between the adjacent properties to the satisfaction of the Community Development Director.

10. The developer shall indemnify, defend, and hold harmless the city, its officers, employees and agents, from any and all claims and lawsuits from third party(s) involving or related to the city's consideration and/or approval of the developer's application for development.
11. Please note that the front property line is located 5.5 feet behind the sidewalk on Parkview Court. No fences, retaining walls, or other permanent structure shall be placed or constructed within 5.5 feet from back of sidewalk along Parkview Court. S.B.M.C. 8.08.010.
12. The Applicant shall provide flow line diagrams for cold water lines, hot water lines, gas lines, and sanitary sewer lines to include all existing and proposed systems in accordance with the applicable California Building Code 2010.
13. An Encroachment Permit from Public Services Department is required prior to commencing any work within the City's public right-of-way. S.B.M.C. 8.16.010. The Encroachment Permit shall be issued prior to issuance of a building permit.
14. All damaged curb, gutter, sidewalk or driveway in the public right-of-way fronting the property shall be removed and replaced. Remove and replace all damaged and/or broken sidewalk at front of property for all location where there are any raised or offset concrete sections greater than or equal to 3/4 -inch. S.B.M.C. 8.12.010.
15. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule is required. Tree shall be located on Parkview Court per S.B.M.C. 8.24.060. At the current rate, the impact payment required is \$540. A separate tree-planting permit is required from Parks and Recreation Services for any new street tree.
16. If not present, the applicant shall install a sanitary sewer lateral clean-out at property line per City standards detail SS-02. Older clean outs not meeting current city standards shall be replaced.
17. Paint address number on face of curb near driveway approach. Lettering shall be black, 4 inches or larger, and painted on a white background. Indicate the location of the address numbers on the site plan.
18. An Erosion control plan and storm water pollution prevention plan required. The plan must show existing storm drain inlets and other storm water collection locations protect by silt screens or silt fence. Work shall conform to the current NPDES requirements. S.B. Municipal Code 12.16.020.
19. Storm water from new and existing roof down spouts and other on-site drainage, shall be collected and drained into landscaping or collected through an under sidewalk curb drain to the gutter per City standards detail ST-03. Foundations shall be protected from storm water. Drainage into adjacent properties shall not be allowed. Indicate any pipes, swales, or applicable ground percolation treatments as necessary.
20. The building permit plans shall include a site plan that shows all properly lines, setbacks and easements, and all existing and proposed grading and drainage improvements. All unpaved areas shall be graded to slope at 1% or more. All paved areas shall be graded to slope at 0.5% or more. All grading and drainage work shall conform to the current NPDES requirements. S.B.MC. 12.16.020
21. Perform water demand calculation based on the requirements in Chapter 6 of the California Plumbing Code to confirm that the existing 3/4 inch water meter service is sufficient to serve proposed water demand. If existing meter is undersized, a new meter is required. Applicant shall pay water and

sewer capacity charges based on the size of the water meter installed along with materials and installation of an upgraded water meter. S.B.M.C. 10.14.020/110. Indicate on the plans the location of the existing water meter and the available water pressure at the property.

22. Address numbers to be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
23. Provide hard-wired smoke detectors with battery backup as required by building code.
24. Provide spark arrester for chimney if not currently in place.
25. The applicant shall use the City detail for a dry well and provide a positive mechanism to drain water out to the street when it reaches capacity.

Commissioner Petersen re-entered the room.

6. Discussion

- A. City Staff Discussion:** Commissioners Sammut, Biasotti, and Petersen volunteered for the April 11, 2013 Architectural Review Committee meeting.

Associate Planner Neuebaumer: I would like to give an update on the White Way direction of traffic request from the November 2012 Planning Commission Meeting. White Way is a one-way street running in the southerly direction between Angus Avenue and Kains Avenue. At the November Planning Commission meeting, Commissioner Marshall requested that staff look into changing the direction of White Way to run in the northerly direction. We did check in with a staff member of the Public Services Division who is the contact person for the Transportation Safety and Parking Committee. Essentially, TSPC and City Council approval would be required to change the direction of White Way. A traffic study would also be required to fully analyze and evaluate the need to change the traffic flow direction. I would like to note that the Public Services staff member stated that it would be important to get the support of the businesses located along Kains Avenue. At this point, further analysis regarding this request will be put on hold until new businesses occupy the vacant spaces on El Camino Real.

Commissioner Johnson: The shopping center on El Camino was recently painted yellow. Was that city initiation or property owner?

Associate Planner Neuebaumer: That was initiated by the property owner.

Associate Planner Neuebaumer: Update #2, the commission noted concern about a possible Code Enforcement violation at the corner property of 4th Avenue and Pine Street. Staff did coordinate with the Code Enforcement Division and we have issued a Notice of Violation on the property. It appears that they are running a limousine business out of the residence. The Planning staff will continue to work with the Code Enforcement Division and the property owner to try and resolve the issue as quickly as possible.

Chair Mishra: Do you have an update on the Treetops development?

CDD Director Woltering: City staff is working closely with the contractor during the construction phases. The project is not complete as of yet, however, it is moving forward in a positive manner.

Chair Mishra: The first phase of apartment homes was supposed to be completed in summer of last year. Is there any update on the status?

CDD Director Woltering: They are continuing with the renovation work and we are uncertain of a completion date.

Commissioner Petersen: One of the many concerns regarding that project was the proper usage of weathering materials and mold prevention. Do you know if these methods are being utilized?

CDD Director Woltering: They have a variety of consultants and licensed professionals working with them on this project. They understand their objective and they are working to accomplish that. When the project is near completion or certificate of occupancy, we will let you know.

Vice Chair Biasotti: There are time limits on permits and approvals. Do we know where this development is at on this schedule?

CDD Director Woltering: In this case, we will be working with the developer and extending the permit if need be.

CDD Director Woltering: I'll provide a basic update on a few other projects and developments:

- Cedar Mills: They are finishing up the last home.
- Skycrest: The developer should be bring in construction documents for the project in the near future.
- Glenview Terrace: Is located at 2880 San Bruno Avenue. The project is a 14-lot subdivision and is currently under review.
- Cinema Site: Is located at 406 San Mateo Avenue. An affordable housing builder had shown interest in the property. Staff has spoken to the property owner representative about considering putting out a request for proposals to solicit a broader range of development options for the property.
- Police Credit Union: This is a proposed new 3-story office building under review with staff. You should be reviewing this project in the near future.
- Transit Corridors Plan: This project was approved by the City Council on February 12, 2013. The next step is to move forward with the citywide vote. Staff will be working with the community during this process.
- Zoning Code Update: We hope to schedule a study session with the commission sometime next month.
- Malaka Restaurant: The restaurant was recently demolished. The property owner found the building to be obsolete and often vandalized. As of now, there are no current plans for development at this site. The property owner has agreed to provide landscaping on the San Bruno Avenue frontage during the interim phase.

Vice Chair Biasotti: What is the status of the Crystal Springs Apartments project?

Associate Planner Russell: They broke that project up into to two phases. The first phase will address the conversion of the existing recreation room into four dwelling units. The second phase will be the construction of the new recreation building. They are currently in phase one construction. To the best of me knowledge; they are currently in the process of bidding out the construction of phase two.

Commissioner Petersen: Is there a planned date for the vote on Ordinance 1284?

CDD Director Woltering: There is not a specific planned date. We are aiming to do so before the end of the year.

**B. Planning Commission Discussion:
Appoint New Planning Commission Chair and Vice-Chair**

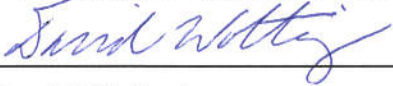
**Motion to appoint Vice Chair Biasotti as Planning Commission Chair and
Commissioner Petersen as Planning Commission Vice Chair.**

Commissioner Sammut/Mishra

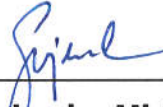
VOTE: 5-0
AYES: All Commissioners Present
NOES: None
ABSTAIN: None

7. Adjournment

Meeting was adjourned at 8:22 pm



David Woltering
Secretary to the Planning Commission
City of San Bruno



Sujendra Mishra, Chair
Planning Commission
City of San Bruno

NEXT MEETING: April 16, 2013